JAN 2 4 2007

Duane Morris

DUANE MORRIS LLP ONE MARKET, SPEAR TOWER, SUITE 2000 SAN FRANCISCO, CA 94105-1104 PHONE: 415,957,3000 FAX; 415,957.3001

FACSIMILE TRANSMITTAL SHEET

To:

Examiner Melanie R. Tyson – Group 3731

FIRM/COMPANY:

U.S. Patent and Trademark Office

Mail Stop Amendment

FACSIMILE NUMBER:

571.273.8300

CONFIRMATION TELEPHONE:

FROM:

Edward J. Lynch

DIRECT DIAL:

415.957.3067

DATE:

January 24, 2007

USER NUMBER:

5119

FILE NUMBER:

Attorney Docket No. R0368-04000;

Serial No. 10/716,329

TOTAL # OF PAGES:

(INCLUDING COVERSHEET)

13

MESSAGE:

Please find attached a **CORRECTED** Amendment and Response.

Please disregard an Amendment and Response faxed to you earlier

today for this case.

Thank you.

NOTE: Original will not follow

CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

If there is a problem with this transmission, please call us as soon as possible at 415.957.3000.

PATENT

		IN THE UNITED STA	TES PATEN	T AND TRA	DEMAR	K OFFICE	RECEIVED CENTRAL FAX CENTER
In re the application of				Examiner: Melanie R. Tyson			OCHTING I M OCHTEN
Bu	rbank et a	l.)	Group A	urt Unit: 3	1731	JAN 2 4 2007
For:		CULUM-LIKE DEVIC	•				
		AVAGINAL INSTRUM VERY	ENT)				
	DELA	V EAR 1	{				<u>RESPONSE</u> N MAILED
Serial No.: 10/716,329					IO OFFI	11/02/2000	
Filed	: Novem	ber 18, 2003)				
Dock	et No.: R	k0368-04000				· · · · · · · · · · · · · · · · · · ·	
1	hereby certi Amendment	CERTIFICATE OF M fy that these papers are being sent b , Commissioner for Patents, P.O. Bo	y facsimile to (571)	273-8300, addres	sed to Exami	ner Melanie R. T	yson, Mail Stop Francisco, CA.
	. .	_	Sirpa Kirj	onen			
	Stop Ame	endment for Patents					
	Box 1450						
		A 22313-1450					
Dear							•
1.		tted herewith for filing in a		tified patent	applicatio	n is an <u>Ame</u>	ndment and
2.	Claim Fe	ee Calculation					
	<u>X</u>	No additional claim fee					
		Amendment increases n			-	ncies.	
			Additional Cla				
		Description	Fee Code	Claims	Extra	Rate	Fee
		Independent Claims	1201	2-9=	0 x	\$200=	\$0
		Total Claims	1202	14-53=	0 x	\$50=	\$0
	32			44 .4		te	\$0
3.	<u>X</u>	Applicants herein withdo	raw claim to sr	nall entity sta	atus.		
4.	Payment						
	35	Enclosed is a check for t					
	<u>x</u>	The Commissioner is au					
		fees set forth under 3 referencing Atty, Dock					
		enclosed for fee proces		~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	dupikute		is document is
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_			- 6.	Ědward J.			
	ė Morris I Varket	LLP		Registratio			
		Suite 2000		Attorney fo	or Applica	unts	
•	-	CA 94105					
Telep	hone: (4	15) 957-3000					
		5) 957-3001					
Direc	t Dial: (415) 957-3067			•		

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the app	dication of)) Examiner: Melanie R. Lyson								
Burbank e	t al.)) Group Art Unit: 3731								
INT	NACULUM-LIKE DEVIC RAVAGINAL INSTRUM LIVERY))) <u>Amendment and response</u>								
Serial No.:	10/716,329	{	TO OFFICE ACTION MAILED 11/02/2006								
Filed: Nove	mber 18, 2003)									
Docket No.:	R0368-04000										
I hereby of Amendin	CERTIFICATE OF M ertify that these papers are being sent b ent, Commissioner for Patents, P.O. Bo	ry facsimile to (571) ox 1450, Alexandrii) 273-8300, addres	sed to Examin	er Melanie R. T	yson, Mail Stop Francisco, CA.					
P.O. Box 14	er for Patents				YE						
Dear Sir:											
	mitted herewith for filing in onse to Office Action Mailed		ntified patent	application	n is an <u>Ame</u> i	ndment and					
2. Claim X	Amendment increases n	No additional claim fee is required. Amendment increases number of claims or multiple dependencies. Additional Claim Fee Calculation									
	Description	Fee Code	Claims	Extra	Rate	Fee					
	Independent Claims	1201	2-9=	0 x	\$200=	\$0					
	Total Claims	1202	14-53=	0 x	\$50=	\$0					
				Fees Du	e	50					
3. <u>X</u>	Applicants herein withdraw claim to small entity status.										
4. Payme	Payment of Fees Enclosed is a check for the total fees due in the amount of The Commissioner is authorized to charge any fees due, and to credit any overpayment of fees set forth under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0368-04000. A duplicate copy of this document is enclosed for fee processing.										
	referencing Atty. Dock	et No. R0368	3-04000, A	duplicate	copy of th	is document is					
	referencing Atty. Dock	et No. R0368	<u>\$-04000</u> . A Solva	duplicate	copy of th	is document is					
Duane Me-	referencing Atty. Dock enclosed for fee proces	et No. R0368 sing.	8-04000, A Swe Edward J.	duplicate Lynch	copy of the	is document is					
Duane Morr	referencing Atty. Dock enclosed for fee procest is LLP	et No. R0368 sing.	Edward J. Registratio	Lynch on No. 24,	2009 of th	is document is					
One Market Spear Tower	referencing Atty. Dock enclosed for fee procest is LLP r, Suite 2000	et No. R0368 sing.	8-04000, A Swe Edward J.	Lynch on No. 24,	2009 of th	is document is					
One Market Spear Tower San Francisco	referencing Atty. Dock enclosed for fee proces	et No. R0368 sing.	Edward J. Registratio	Lynch on No. 24,	2009 of th	is document is					

Direct Dial: (415) 957-3067

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JAN 2 4 2007

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Burbank et al.

For: TENACULUM-LIKE DEVICE FOR
INTRAVAGINAL INSTRUMENT
DELIVERY

Serial No.: 10/716,329

Filed: November 18, 2003

Docket No.: R0368-04000

Examiner: Melanie R. Tyson

Group Art Unit: 3731

AMENDMENT AND RESPONSE
TO OFFICE ACTION MAILED
11/02/2006

CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8

I hereby certify that these papers are being sent by facsimile to (571) 273-8300, addressed to Examiner Melanie R. Tyson, Mall Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 24, 2007; in San Francisco.

By: Sirpa Kirjoner

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the non-final Office Action mailed November 2, 2006, please amend the above identified application as follows: